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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,541	05/25/2006	Nhut Xan Phung	SP10150P00050'S	6446
32116 7590 03/04/2009 WOOD, PHILLIPS, KATZ, CLARK & MORTIMER 500 W. MADISON STREET SUITE 3800 CHICAGO, IL 60661				
EXAMINER				
JACOB, AJITH				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,541

Applicant(s)

PHUNG, NHUT XAN

Examiner

AJITH JACOB

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 29, 2008 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Fries et al. (US 6,460,029 B1).

For claim 1, Fries et al. teaches:

A method for searching a plurality of machine-readable information sources, said method comprising the steps of:

mapping a search string to a plurality of search terms, wherein each said search term is a preferred term for searching [past search terms listed to user, column 8, lines 49-59] at least one of said plurality of machine-readable information sources [logical search

query generated from user entered text search query, column 2, lines 10-17];
indicating which of said plurality of machine-readable information source each of said search terms is a preferred term for [related term matching with markers, column 11, lines 1-12];
and searching at least one indicated machine-readable information sources using respective preferred search terms [search after related words are found, column 11, 41-48].

For claim 2, Fries et al. teaches:

The method of claim 1, comprising the further steps of :receiving said initial search string from a user;

displaying, to said user, which of said plurality of machine-readable information sources each of said search terms is a preferred term for [markers to categorize terms, column 11, lines 1-12]; and

providing a result of said search to said user [receiving search request and provide result, column 2, lines 3-17].

For claim 3, Fries et al. teaches:

The method of claim 2, wherein said step of indicating comprises displaying, to said user, a reference to at least one vocabulary of terms each said search term is included in [match vocabulary, column 15, lines 21-34].

For claim 4, Fries et al. teaches:

The method of claim 2, comprising the further step of enabling said user to select

and de-select ones of said plurality of search terms with which said searching step is performed [user options to improve results, column 5, lines 30-43].

For claim 5, Fries et al. teaches:

The method of claim 2, comprising the further step of enabling said user to replace ones of said plurality of search terms with user-selected replacement search terms [provide suggestions to user, column 5, lines 44-63].

For claim 6, Fries et al. teaches:

The method of claim 2, comprising the further step of enabling said user to add further search terms to said plurality of search terms [modifying search query, column 19, lines 30-39].

For claim 7, Fries et al. teaches:

The method of claim 1, wherein each of said plurality of search terms is selected from a vocabulary of preferred search terms [past search terms listed to user, column 8, lines 49-59] for searching at least one of said plurality of machine-readable information sources [vocabulary terms based on topic, column 15, lines 21-34].

For claim 8, Fries et al. teaches:

The method of claim 1, wherein each of said plurality of search terms are selected from a meta-vocabulary comprising a list of terms included in a plurality of vocabularies of search terms that are preferred terms for searching respective ones of said plurality of machine-readable information sources [list of recent vocabulary terms, column 15, lines 21-34].

For claim 10, Fries et al. teaches:

The method of claim 1, comprising the further step of:

searching at least one further machine-readable information source of said plurality of machine-readable information sources using one or more preferred search terms for searching said at least one further machine-readable information source [another step of searching HTML tags, column 12, lines 26-33];

wherein:

said one or more preferred search terms comprise search terms resulting from said mapping step [search terms used search HTML tag, column 12, lines 46-59]; and

said at least one further machine-readable information source is searched without performing a further mapping step [string from original mapping, column 12, lines 46-59].

For claim 11, Fries et al. teaches:

The method of claim 1, wherein said search string comprises a plurality of terms and said step of mapping comprises the step of mapping each of said plurality of terms to a plurality of synonyms [words in search step, using synonyms to match results, column 26, lines 30-45].

Claim 12 is an apparatus of claim 1. Fries et al. teaches the limitations of claim 1 for the reasons stated above.

Claim 13 is an apparatus of claim 2. Fries et al. teaches the limitations of claim 2 for the reasons stated above.

Claim 14 is an apparatus of claim 3. Fries et al. teaches the limitations of claim 3 for the reasons stated above.

Claim 15 is an apparatus of claim 4. Fries et al. teaches the limitations of claim 4 for the reasons stated above.

Claim 16 is an apparatus of claim 5. Fries et al. teaches the limitations of claim 5 for the reasons stated above.

Claim 17 is an apparatus of claim 6. Fries et al. teaches the limitations of claim 6 for the reasons stated above.

Claim 18 is an apparatus of claim 7. Fries et al. teaches the limitations of claim 7 for the reasons stated above.

Claim 19 is an apparatus of claim 8. Fries et al. teaches the limitations of claim 8 for the reasons stated above.

Claim 21 is an apparatus of claim 10. Fries et al. teaches the limitations of claim 10 for the reasons stated above.

Claim 22 is an apparatus of claim 11. Fries et al. teaches the limitations of claim 11 for the reasons stated above.

Claim 23 is a computer program of claim 1. Fries et al. teaches the limitations of claim 1 for the reasons stated above.

Claim 24 is a computer program of claim 2. Fries et al. teaches the limitations of claim 2 for the reasons stated above.

Claim 25 is a computer program of claim 3. Fries et al. teaches the limitations of claim 3 for the reasons stated above.

Claim 26 is a computer program claim 4. Fries et al. teaches the limitations of claim 4 for the reasons stated above.

Claim 27 is a computer program claim 5. Fries et al. teaches the limitations of claim 5 for the reasons stated above.

Claim 28 is an apparatus of claim 6. Fries et al. teaches the limitations of claim 6 for the reasons stated above.

Claim 29 is a computer program claim 7. Fries et al. teaches the limitations of claim 7 for the reasons stated above.

Claim 30 is a computer program claim 8. Fries et al. teaches the limitations of claim 8 for the reasons stated above.

Claim 32 is a computer program of claim 10. Fries et al. teaches the limitations of claim 10 for the reasons stated above.

Claim 33 is a computer program of claim 11. Fries et al. teaches the limitations of claim 11 for the reasons stated above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 9, 20 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fries et al. as set forth above against claims 1-3 above, and in view of Turtle et al. (US 5,418,948).

As per claim 9, Fries et al. teaches the searching of a user query and finding results [logical search query generated from user entered text search query, column 2, lines 10-17], but does not teach the use of a medical database for information sources.

Turtle et al. teaches the use of medical databases for searching [column 7, lines 28-34].

Fries et al. (US 6,460,029 B1) and Turtle et al. (US 5,418,948) are analogous art because they are from the same field of endeavor of search query result retrieval.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the searching method described by Fries et al. and add a medical database as taught by Turtle et al.

The motivation for doing so would be "to identify phrases in the search query" [column 3, lines 3-20] that pertain to the medical field.

Therefore, it would have been obvious to combine Fries et al. (US 6,460,029 B1) with Turtle et al. (US 5,418,948) for providing a medical database in the search process. Claim 20 is an apparatus of claim 9. Fries et al. modified by Turtle et al. teaches the limitations of claim 9 for the reasons stated above.

Claim 31 is a computer program claim 9. Fries et al. modified by Turtle et al. teaches the limitations of claim 9 for the reasons stated above.

Response to Arguments

5. Applicant's arguments filed December 29, 2008 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument.

Further search has been performed and the amendments to the claims have been addressed above. Arguments against each amended claims have been addressed by the references.

In light of the forgoing arguments, the 35 U.S.C. 102 and 103 rejections are hereby sustained.

Conclusion

The Examiner requests, in response to this Office action, that support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the Examiner in prosecuting the application.

When responding to this Office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajith Jacob whose telephone number is 571-270-1763. The examiner can normally be reached on M-F 7:30-5:00 EST, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/2/2009

AJ
Patent Examiner

/Etienne P LeRoux/

Primary Examiner, Art Unit 2161